

1
2
3
4
5
6
7
8
9
10 UNITED STATES DISTRICT COURT
11 DISTRICT OF NEVADA
12

13 CARLA VAN PELT,) 3:11-cv-00061-HDM-VPC
14 Plaintiff,)
15 vs.) ORDER
16 STATE OF NEVADA, ex rel. ITS)
17 DEPARTMENT OF CORRECTIONS,)
18 Defendant.)
_____)

19 As set forth on the record on Tuesday, March 26, 2013, the
20 plaintiff and the defendant entered into a stipulated settlement of
21 all of plaintiff's claims except as hereinafter set forth.
22 Pursuant to the stipulation, the plaintiff moved to dismiss with
23 prejudice her Title VII retaliation claim, her First Amendment
24 retaliation claim, any other First Amendment claim that can be read
25 as asserted in her second amended complaint (#22), and any claim of
26 hostile work environment/sexual harassment. The plaintiff reserved
27 the right to appeal only that portion of the court's order of
28 September 21, 2012, granting summary judgment on her Title VII

1 gender discrimination/disparate treatment claim relating to her
2 alleged failure to timely file log books. Accordingly, pursuant to
3 the terms of the settlement, the court hereby orders that judgment
4 be entered as follows:

5 1. All retaliation claims asserted in plaintiff's second
6 amended complaint (#22), including her Title VII and First
7 Amendment retaliation claims, and any other First Amendment claim
8 in the second amended complaint, are **DISMISSED WITH PREJUDICE;**


9 2. Any claim of Title VII sexual harassment is **DISMISSED WITH**
10 **PREJUDICE;** and

11 3. Plaintiff shall not be precluded from appealing this
12 court's order on summary judgment relating solely to her Title VII
13 disparate treatment/gender discrimination claim involving the
14 allegation that she was treated differently than similarly situated
15 males who had allegedly also not properly completed log books.

16 Each party shall bear their own costs and fees with respect to
17 those claims that have been dismissed with prejudice pursuant to
18 the parties' stipulated settlement. The clerk of the court shall
19 enter judgment accordingly.

20 **IT IS SO ORDERED.**

21 DATED: This 3rd day of April, 2013.

22 
23

24 UNITED STATES DISTRICT JUDGE
25
26
27
28